THE HON'BLE SRI JUSTICE C.V.NAGARJUNA REDDY

WRIT PETITION No.21272 of 1996

DATED: 28-2-2007

Between:

B.Rukmini Devi

… Petitioner.

And

The Government of A.P.,
Rep by Prl.Secretary for Higher Education,
Hyderabad.

And others.

… Respondents.

THE HON'BLE SRI JUSTICE C.V.NAGARJUNA REDDY

WRIT PETITION No.21272 of 1996

ORDER:

The writ petition is filed for the following relief:

> " for the reasons stated in the accompanying affidavit, the petitioner prays that this Hon'ble Court may be pleased to issue a writ or order more especially one in the nature of writ of mandamus directing the respondents to ratify the appointment of the petitioner as Secondary Grade Basic Training Teacher (SGBT) in the 5th respondent school, in terms of G.O.Ms.No.1 (Education) dated 1.1.1994, and declaring the action of the 3rd respondent in rejecting the proposal for appointment of the petitioner as SGBT teacher in 5th respondent school as illegal, arbitrary and violative of fundamental rights and consequently direct the respondent to pay the arrears of salary to the petitioners as per the pay and allowances as per the government scale from the date of joining duty i.e., 11.6.1995 in terms of G.O.Ms.No.1 (Education), dated 1.1.1994 and consequently direct the 5th respondent to continue to pay the salary while continuing the petitioner in service."

At the hearing Sri Ravishankar Jandhyala fairly conceded that the petitioner has an effective alternative remedy under Section 80 of the A.P.Education Act 1982 and that she may be given liberty to approach the Commissioner and Director of School Education, Hyderabad.

Accepting the request of the learned counsel for the petitioner, the writ petition is dismissed permitting the petitioner to file an appeal under Section 80 of the A.P.Education Act before the second respondent within a period of four weeks from the date of receipt of a copy of this order. If such an appeal is filed within the stipulated time, the second respondent shall entertain the same without raising any objection regarding limitation and dispose of the same as expeditiously as possible and in any case not later than eight (8) weeks from the date of filing of the appeal.

With the above observation, the writ petition is dismissed.

_____

C.V.NAGARJUNA REDDY,J

Date:28.02.2007
mdaa